



What we heard

Control order for domestic sheep and goats

Results of stakeholder engagement

May 2019

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If you have any questions about this What We Heard document or the Control Order, please contact the Agriculture Branch at agriculture@gov.yk.ca or 867-667-5838 or the Animal Health Unit at animalhealth@gov.yk.ca or 867-667-5600.



Background

What is the control order for domestic sheep and goats?

A control order is a tool under the *Animal Health Act* to prevent the spread of potential hazards to animal health in Yukon. This control order is intended to limit the risk of respiratory disease spreading from domestic sheep and goats to wild sheep and goats. It applies to all domestic sheep and goats, and requires containing, testing, and importing these animals.

The control order is being implemented because the Government of Yukon wants to mitigate the disease risk to wild sheep and goats, while continuing to support the agriculture industry in Yukon. The control order requires inspection and testing of domestic sheep and goats and offers financial compensation for costs or losses incurred to meet these requirements. There is also financial support available for sheep and goat owners to help comply with the conditions of the control order before it comes into effect on January 1, 2020. This includes support to improve fencing and to provide testing of animals at no cost.

The full text of the control order can be found online here:

Yukon.ca/en/control-order-2018-001

What did we hear before the control order was announced?

We have been hearing about the risk of disease transmission from domestic to wild sheep and goats for decades. Contact with domestic sheep has been linked to pneumonia, death, and decline in health for many years in wild bighorn sheep populations in other jurisdictions. Recovery efforts for the populations that have been affected have been very difficult. People are concerned about the possibility of similar respiratory disease outbreaks in Yukon. Wild thimhorn sheep and mountain goats are important species in the Yukon that have inherent value as a part of our ecosystems. There are no known examples of affected wild thimhorn sheep populations. However, there is sufficient research to suggest a risk to Yukon's wild thimhorn sheep.

In 2015, all Renewable Resources Councils and the Yukon Fish and Wildlife Management Board unanimously passed a resolution recommending that the Government of Yukon develop legislation to ensure separation between wild and

domestic sheep and goats. The recommendation was made to the Minister of Environment pursuant to Chapter 16 of the Yukon First Nation Final Agreements.

The Government of Yukon worked with the Government of British Columbia to have a risk assessment done by the Canadian Wildlife Health Cooperative. It was completed and shared publicly in 2016. The risk assessment report is available [here](#). The risk assessment found that there was sufficient evidence to warrant proactive management measures to mitigate the risk of disease transmission from domestic to wild sheep and goats in Yukon.

Before the control order was announced, groups within Yukon were advocating for strong measures to mitigate the risk of disease transmission, including banning domestic sheep and goats from the territory. Other groups within Yukon pointed to the long history of domestic sheep and goat agriculture in Yukon and there being, so far, no known instances of disease transfer occurring as evidence that domestic agriculture can coexist alongside healthy wild populations.

Why was the control order announced in 2018?

The control order was announced after exploring the risks to Yukon wild sheep and goat populations and examining options for how to achieve two objectives:

1. protect the health of populations of wild thimhorn sheep and mountain goats;
and
2. support the responsible development of domestic sheep and goat agriculture.

The control order was selected as the approach for a number of reasons:

- Issuing control orders under the *Animal Health Act* is a shared responsibility of the Ministers of Environment and Energy, Mines and Resources. This means that the departments responsible for agriculture, animal health, and wildlife management have been working together to find solutions that will work to achieve both objectives.
- The control order was announced in 2018, but does not come into force until January 2020. Postponing its implementation provides additional time to:
 - allow stakeholders to provide input on how the control order is implemented;
and



- provide sheep and goat owners with adequate time to work with the Animal Health Unit and the Agriculture Branch to prepare before the control order comes into effect.
- As an order made under the *Animal Health Act*, the legal framework authorizes fair compensation for animal owners who face costs or losses from complying with an order made under that Act in the interest of protecting animal health.
- Recognizing that the control order has significant impacts on those who currently own sheep and goats, funding support outside of the compensation framework is also available. For example, before the control order comes into effect, additional funding is available to sheep and goat owners to build or improve existing fencing.
- The control order is more flexible than developing legislation to address this issue. The order is temporary, and expires in 2024. Having an opportunity to re-consider the approach in 2024 means we can respond to lessons learned from implementation and from research in Yukon and across North America.



Feedback

Why were stakeholders asked to provide input after the control order was announced?

The Government of Yukon recognized the strongly held and differing opinions of key stakeholders on this issue. We received formal recommendations under land claim agreements, and received letters and other feedback from numerous individuals and groups representing the agriculture sector and those interested in the conservation of wild sheep and goats. We took these opinions and interests into consideration when assessing potential action.

Government of Yukon officials conferred with partners in neighbouring jurisdictions and examined relevant research to evaluate potential options. The recommendation to issue a control order was grounded in the precautionary principle in the absence of comprehensive research. This means that precautionary measures are taken to mitigate potential risks, rather than wait for complete certainty before taking any action – which may be too late.

Officials did not engage with stakeholder groups to develop the control order, but felt it was important to provide an opportunity for them to comment on how it would be implemented. All groups were notified in October 2018 of the Government of Yukon's intentions to implement the control order in 2020.

What was the purpose of this engagement?

After the control order was developed, targeted engagement with stakeholders began to gather input on how it could best be implemented. For example, how fencing requirements would be applied and how pathogen testing would be carried out. As lawmakers, Yukon First Nations were consulted and were invited to provide input on any aspect of the control order and its application on Settlement Lands. All groups were contacted in October 2018 and asked to provide feedback before the end of December 2018.



Who was contacted for input?

The Ministers of Energy, Mines and Resources and Environment contacted all of the following groups in October 2018 to provide input on the control order:

- Yukon First Nations;
- Renewable Resources Councils;
- Yukon Fish and Wildlife Management Board;
- Yukon Agricultural Association;
- Growers of Organic Food Yukon;
- Yukon Outfitters Association;
- Yukon Fish and Game Association; and
- Wild Sheep Foundation (Yukon).

What did we hear after the control order was announced?

After the control order was announced, we heard from individual farmers and from other owners of sheep and goats. They were concerned that the control order would have a devastating impact on their operations or would eliminate the opportunity to raise sheep and goats entirely.

The farmers we heard from do not want their animals to transfer pathogens to wildlife. They were interested in supporting certain actions to protect the health of wildlife. However, they expressed that voluntary measures would be sufficient and would better respect the interests of farmers who raise all livestock, not only those who raise sheep and goats. There was a strong opinion that the control order places unfair limitations on industry.

In particular, we heard from groups representing the agriculture community in Yukon that some provisions of the control order should be amended to:

- remove the requirement for an inspector to approve the fencing containing their animals;
- discontinue testing domestic flocks for pathogens of concern after the first two years if no pathogens are present; and
- remove the permit requirement for importing new sheep or goats into Yukon.

We heard from individual farmers and some other owners of sheep and goats that the requirements of the control order would be too much for them and that they would not be interested in continuing to raise sheep and goats after the control order comes into effect. We also heard from some other farmers who welcomed the opportunity to

improve their fencing and have their animals tested at no cost to them. We recognize that the control order's requirements and the compensation available is more suited to larger operations and may impose a relatively high burden for those who own very few sheep or goats.

In addition to these general comments, we also heard numerous specific suggestions through meeting with owners of sheep and goats. For example, allowing microchips as a method of identifying sheep and goats was suggested. We also heard concerns that requiring double fencing would negatively affect farmers who have built fences at their property lines to maximize the amount of usable space on their properties to support agriculture.

However, we heard opposing views from other groups. We heard from some groups that the control order did not provide sufficient protection in their view, and that either a complete prohibition on sheep and goat agriculture should be pursued or that the area where keeping sheep and goats is prohibited should be expanded below 1,000 metres of elevation. Some groups identified specific areas below 1,000 metres in elevation where wild sheep are known to frequent and suggested that owning domestic sheep or goats should be prohibited in these areas as well.

We heard from some groups that a very high standard should be set for fencing, with high, parallel double fences, similar to game farm fencing, spaced far enough apart to completely eliminate the risk of any airborne transmission of pathogens.

We also heard that some groups felt frustrated by not being consulted in developing the control order or examining options before the control order was decided on as the approach. Some groups were surprised by the announcement of the control order and were worried about the lack of detail initially provided about how certain elements of the order would be implemented.

Moving forward

What are we doing with the feedback we received, and why?

The Government of Yukon remains committed to balancing the need to protect the health of wildlife with supporting the responsible development of agriculture in Yukon. Based on the feedback received, there have been minor modifications made to the control order. The Ministers of Energy, Mines and Resources and Environment together signed an amended control order in March 2019. The amendments make microchips an acceptable method of identifying sheep and goats, and the requirement to get a permit to export sheep or goats out of Yukon has been removed. These changes are intended to make implementation of the control order simpler for sheep and goat owners.

We will not be expanding the areas where owning domestic sheep and goats are prohibited. We will not be setting prescriptive standards for fencing designed around completely eliminating all possibility of airborne transmission of pathogens. We will be continuing to require inspections of fencing on premises where domestic sheep and goats will be contained after the control order comes into effect. We have emphasized to farmers that the fencing requirements will be established on a farm-by-farm basis to meet the objectives of containing domestic livestock and preventing contact with wild sheep or goats that might wander into the area.

Having inspections of each property allows for discretion to design containment appropriate to an individual premises. Setting the highest possible standard for fencing on all premises would not be reasonable at this time. Staff from the Agriculture Branch and inspectors from the Animal Health Unit will work with the owner of each premises to develop a containment plan that can take into account the natural environment, the probability of wild sheep being in the area, existing fencing or other containment measures, and other factors. The intention is to keep the focus on the outcomes, rather than on specific fencing requirements.

The Government of Yukon will work with the owners of individual premises to find solutions in cases where effective separation may mean extending a fence to encroach on public land. There would be no cost to the farmer in these cases.

The pathogen testing protocol will be revisited as the control order is implemented. The control order requires that testing and test results be to the satisfaction of the Chief

Veterinary Officer. The initial protocol is to test nasal swabs from every animal, three times, at four to six week intervals. The protocol can be adapted as more research is published and as tests improve. It may include testing for pathogens other than *Mycoplasma ovipneumoniae* (*M. ovi*), or may be less frequent if Yukon herds have very low prevalence of *M. ovi*.

The Animal Health Unit and the Agriculture Branch will establish a Livestock Health and Welfare Advisory Council that will, among other things, continue to provide input on the control order as it is implemented.

Next steps

The control order will come into effect on January 1, 2020. Before the control order comes into effect, owners of sheep and goats are encouraged to contact the Agriculture Branch at agriculture@gov.yk.ca or 867-667-5838 to access support for fencing, testing, or other matters related to the control order.

